

1
2 **IN THE UNITED STATES DISTRICT COURT**
3 **FOR THE EASTERN DISTRICT OF NORTH CAROLINA**
4 **SOUTHERN DIVISION**

5 NO. 7:22-CV-178-FL

FILED
JAN 19 2023

6 SAVE OUR CHILDREN TRUTH
7 COMMISSION, ET AL.,

8 Plaintiffs,

9 vs.

10 UNITED STATES GOVERNMENT, ET AL.,
11 Defendant(s)

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY _____ DEP CLK

MOTION TO SET ASIDE JUDGEMENT

12 NOW COMES Plaintiff Kristen A. Clark-Hassell, to respectfully by herself, pursuant to Rule 60 (b)(1)
13 North Carolina Rules of Civil Procedures, hereby prays for an order granting MOTION TO SET ASIDE
14 DEFAULT JUDGEMENT granted on 2023 Jan _ for Defendants on all claims stated in Plaintiff's
15 Complaint.
16

17
18 1. This motion is based on the grounds that the Plaintiff Kristen A. Clark-Hassell failure to
19 prosecute was due to excusable neglect and because the plaintiff has a prima facie case for relief and
20 meritorious defense.
21

22
23 2. Rule 60 (b)(1) provides that a court "may receive a party or his legal representatives form
24 final judgment, order or proceedings" for reasons including "excusable neglect." N.C.G.S. § 1A-1, Rule
25 60(b)(1).
26
27
28

1 3. Plaintiff avers that the failure to prosecute occasioning a default judgment was due to a
2 error in understanding, and is a unintentional mistake that incapacitated her compliance as the movant pro
3 se; and not deliberate or willful conduct and thus the circumstances fall within the general definition and
4 confines of excusable neglect as a ground for setting aside of a judgment. *Thomas M. McInnis & Assocs.,*
5 *Inc. v. Hall*, 318 N.C. 421 (1986).
6

7
8 4. That being ignorant rendered the movant deficient preventing her from taking prudent
9 action despite offering reasonable compliance to the case as required.
10

11
12 5. Moreover, the grant of the motion of default judgment will not be prejudicial to the
13 defendants since the motion's filing is timely.
14

15 6. Rule 60 of the North Carolina Civil Procedure Rules on the filing of a motion to set aside
16 judgment provides as follows;
17

18 “(6) *Any other reason justifying relief from the operation of the judgment. The motion*
19 *shall be made within a reasonable time, and for reasons (1), (2) and (3) not more than*
20 *one year after the judgment, order, or proceeding was entered or taken.*”
21

22 7. Accordingly, the Plaintiff filed the motion in time as required by the law hence allowing
23 the same is not prejudicial to the defendants. The motion was filed on which falls within the
24 time stipulated in Rule 60(B).
25
26
27
28

1 8. Moreover, the defense is meritorious because it would be in the interest of justice to
2 continue the case because the rights of children and families are paramount.

3
4 9. Additionally, the court afforded the Defendants additional time to respond to the motion
5 hence the grant of the motion would not be prejudicial to the Defendants.

6
7
8 10. Additionally, to dismiss this case would further allow the state to retaliate against Plaintiff
9 through the disparagement, libel and slander that caused her to fraudulently loose her parental rights.

10
11 11. Plaintiff, Kristen A. Clark-Hassell respectfully requests that Melody Rodgers be granted
12 the ability to file to this court on her behalf as Plaintiff has a temporarily disability due to a car accident
13 on 08/13/2021 that impairs her ability to fully understand proper court procedure and requirements. Due
14 to the ongoing trauma from the children being removed, limited financial means, and a TBI this request
15 is being made to the court.

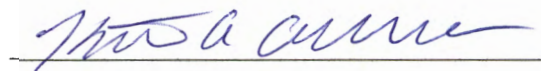
16
17
18 12. Plaintiff is also stating that this court have jurisdiction due to her children being moved to
19 Idaho from Georgia and then two more children were previously moved to Arkansas and The Interstate
20 Compact on the Placement of Children (ICPC) was issued.

21
22
23 13. Plaintiff is also requesting to be readdded to this case based on the above and the fact that
24 she is also a military widow. Her family has already suffered mental and emotional trauma that the
25 continual removal of her children is detrimental to herself and the remaining children that are still in the
26 home. To add to the pain one child that was returned when the other four siblings were kept unlawfully in
27 Georgia States custody.
28

1
2 REASONS WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests this Honorable
3 Court to GRANT this Motion to Set Aside Judgment and subsequently issue an order to that effect.
4

5 Dated this 10th day of Jan, 2023.
6

7
8 Respectfully Submitted,
9

10 
11


12 Plaintiff in *pro per*
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VERIFICATION

Under penalties as provided by law, Plaintiff Kristin A. Clark-Hassell certifies that the statements set forth in the foregoing Rule 60(B)(1) Motion to Set Aside Judgment for Excusable Neglect are true and correct, except as to matters therein stated to be on information and belief and as to such matters, the undersigned certifies as aforesaid that he verily believes the same to be true.

Dated this 10th day of Jan, 2023.

Respectfully Submitted,



Plaintiff in *pro per*

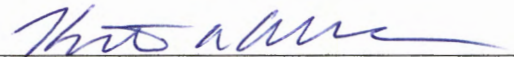
CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served Notice of Self-Representation, Financial Disclosure, Certificate of Interested Parties, and Motion to Set Aside in the above-entitled action on all of the parties to this cause by e-mail and US mail as follows:

ADDRESS

Dated this 13th day of Jan, 2023.

Respectfully Submitted,



Plaintiff in *pro per*

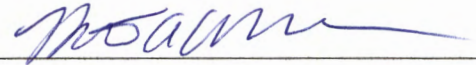
CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served PLAINTIFF'S RULE 60(B)(1) MOTION TO SET ASIDE JUDGMENT FOR EXCUSABLE NEGLECT in the above-entitled action on all of the parties to this cause by e-mail and US mail as follows:

ADDRESS

Dated this 13th day of Jan, 2023.

Respectfully Submitted,



Plaintiff in *pro per*

CERTIFICATE OF SERVICE

I swear that on 01/13/2023 I have served the persons and/or representative as addressed below, the following documents below:

CERTIFICATE OF INTERESTED PARTIES.

1. UNITED STATES GOVERNMENT
U.S. Department of Justice
950 Pennsylvania Avenue
NW Washington, DC 20530-0001

2. JOE BIDEN
U.S. Department of Justice
950 Pennsylvania Avenue,
NW Washington, DC 20530-0001

3. KAMALA HARRIS
U.S. Department of Justice
950 Pennsylvania Avenue
NW Washington, DC 20530-0001

4. XAVIER BECERRA
200 Independence Avenue
SW Washington, DC 20530-0001

5. MERRICK B. GARLAND
U.S. Department of Justice 950
Pennsylvania Avenue
NW Washington, DC 20530-0001

6. JERRY MILNER
187 Mullis Creek
Pike Road, Alabama 20201

7. RACHEL LEVINE
330 C. St. SW
Washington, DC 20001

8. GAVIN NEWSOM

1021 O Street, Suite 9000 Sacramento
California 95814

9. JERRY BROWN
1021 O Street,
Suite 9000
Sacramento, California 95814

10. ELENI KOUNALAKIS
1021 O St.,
Suite 8730
Sacramento, California 95814

11. GREG ABOTT
1100 San Jacinto Blvd.,
Austin, Texas 78701

12. DAN PATRICK
1100 San Jacinto Blvd., Austin,
Texas, 78701

13. SUSANA MARTINEZ
9500 Layton Place
Albuquerque, NM 87111

14. MICHELLE LUJAN-GRISHAW
490 Old Santa Fe, Trail Room,
Santa Fe, New Mexico 87501

15. DOUG DUCEY
1700 W. Washington St.,
Phoenix, Arizona 85007

16. RON DESANTIS
400 S. Monroe St.
Tallahassee, Florida 32399

17. TOM WOLF
508 Main Capital Building,
Harrisburg, Pennsylvania 17120

18. BRIAN KEMP
206 Washington St.,
111 State Capitol, Suite 203
Atlanta, Georgia 30334

19. BILL LEE
State Capitol, First Floor
Suite 600 Dr. Martin Luther King
Jr. Blvd Nashville, Tennessee 37243

20. MICHEAL DUNLEAVY
P.O. BOX 110001 Juneau
Alaska, 99811-0001

21. KATHLEEN LAURA KELLY
State House 300 South West 10th Ave,
#241s, Topeka, Kansas 66612

22. KATHY HOCHUL
NYS State Capitol Building
Albany, New York 12224

23. GRETCHEN WHITMER
111 S. Capitol Ave.,
Lansing, Michigan 48933

24. JACKEY LACEY
17901 Mayerline St
Granada Hills, California 91344

25. ROB BONTA
300 S. Spring St.
Los Angeles CA 90013-1230

26. KEN PAXTON
P.O. Box 12548

Austin, Texas 78711-2548

27. JAIMIE MASTERS
P.O. Box 149030
Austin, Texas 78714-9030

28. WILLIAM CLARK
PRESIDENT OF SAINT FRANCIS MINISTRIES
509 E. Elm St.
Salima, Kansas 67401

29. St. Francis Ministries
4155 E. Harry St.
Wichita, Kansas, 67218

30. Kids Central Inc Aka
The Centers Inc.
901 Industrial Dr.
Suite 200
Wildwood, Florida 34785

31. MARICOPA COUNTY ARIZONA
301 W. Jefferson St.
Phoenix, Arizona 85003

32. SEBASTIAN COUNTY ARKANSAS
901 B. St. 5, Suite 209,
Fort Smith, Arizona 72901

33. SCOTT COUNTY ARKANSAS
100 W. 1st St.
Waldron, Arkansas 72958

34. LOS ANGELES COUNTY CALIFORNIA
300 Spring St. Los Angeles
California 90013

35. RIVERSIDE COUNTY CALIFORNIA
3960 Orange St.,
Riverside, California 92501

36. MONTEREY COUNTY CALIFORNIA
142 W. Alisal St.
Suite A

Salinas, California 93901

37. MARION COUNTY FLORIDA
601 SE 25th Ave.
Ocala, Florida 34471

38. MIAMI-DADE COUNTY FLORIDA
GERI BONZON-KEENAN
COUNTY ATTORNEY GENERAL
Stephen P. Clark Center
111 NW 1st Street
Miami, FL 33128

39. ST. LUCIE COUNTY FLORIDA
411 S. 2nd St.
Fort Pierce Florida, 34509

40. CAMDEN COUNTY GEORGIA
210 E. 4th St.
Woodbine, Georgia, 31569
41. LAURENS COUNTY GEORGIA
101 N. Jefferson St.
Dublin, Georgia, 31021

42. HUTCHINSON COUNTY KANSAS
120 SW 10th Ave, Topeka Kansas

43. SEDGWICK COUNTY KANSAS
1900 E. Morris
Wichita, Kansas 67211

44. ST. MARY'S COUNTY MARYLAND
23110 Leonard Hall Dr.
Leonardtown, Maryland 20650

45. KENT COUNTY MICHIGAN
8201 Ionia Ave NW
Grand Rapids, Michigan 49503

46. OAKLAND COUNTY MICHIGAN
1200 N. Telegraph Rd.
West Wing-Building
14E
Pontiac, Michigan, 48341

47. BERNALILLO COUNTY NEW MEXICO
Steve Schiff District Attorney
Building, 520 Lomas NW, Fourth Floor
Albuquerque, New Mexico 87102

48. KINGS COUNTY NEW YORK
350 Jay St. 16th Floor
Brooklyn, New York 11201

49. MONROE COUNTY NEW YORK
47 S. Fitzhugh St.
Rochester, New York 14614

50. WASHINGTON COUNTY OHIO
205 Putnam St.
Marietta, Ohio, 45750

51. ALLEGHANY COUNTY PENNSYLVANIA
300 Fort Pitt Commons Building,
Fort Pitt Blvd.
Pittsburg, Pennsylvania 15219

52. MCLENNAN COUNTY TEXAS
219 N. 6th St.
#200
Waco, Texas 76701

53. BELL COUNTY TEXAS
1201 Huey Dr.
Belton, Texas, 76513

54. WICHITA COUNTY TEXAS
900 7th St.
Wichita Falls, Texas, 76301

55. BLOUNT COUNTY TENNESSEE
Blount County Justice Center
942 E. Lamar Alexander Pkwy.,
Maryville, Tennessee, 37804